

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

RUDOLPH DELEON,

Defendant.

**4:11CR3111**

**MEMORANDUM AND ORDER**

The defendant has moved to continue the trial currently set for June 19, 2012. (Filing No. 60.) As explained in the defendant's motion, defense counsel was recently appointed and needs additional time to investigate and review this case and prepare for trial. The government does not oppose the requested continuance. The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 60), is granted.
- 2) The trial of this case is set to commence before the Honorable John M. Gerrard at 9:00 a.m. on August 21, 2012, or as soon thereafter as the case may be called, for a duration of three (3) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of defendant's counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and August 21, 2012 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

Dated this 4th day of June, 2012.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge